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572 Rec'd PCT/PTO 04 JAN 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85654

Nicoletta BIANCHI, et al.

Appln. No.: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: January 04, 2005

Examiner: Not Yet Assigned

For: A NOVEL USE OF RAPAMYCIN AND STRUCTURAL ANALOGUES THEREOF

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. *JOHNSON JULIE ET AL.: "Treatment of beth-thalassemia in the mouse by regulated expression of AAV-encoded erythropoietin" BLOOD, vol. 98, no. 11 part 2, November 16, 2001, page 410b XP009023880*

2. *43rd Annual Meeting of the American Society of Hematology, Part 2; Orlando, Florida< USA; December 07-11, 2001 ISSN: 0006-4971.*

3. *WO 0168147 A BIANCHI NICOLETTA; FERIOTTO GIORDANA(IT); GAMBARI ROBERTO (IT); m) September 20, 2001 Page 1, Paragraph 1-3, Page 5, Paragraph 1.*

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INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: Not Yet Assigned

One copy of each of the listed documents is submitted herewith, along with a copy of the International Search Report.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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Date: January 4, 2005

Complete if Known

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Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

Application Number	Not Yet Assigned
Confirmation Number	Not Yet Assigned
Filing Date	January 04, 2005
First Named Inventor	Nicoletta BIANCHI et al
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		JOHNSON JULIE ET AL.: "Treatment of beth-thalassemia in the mouse by regulated expression of AAV-encoded erythropoietin" BLOOD, vol. 98, no. 11 part 2, November 16, 2001, page 410b XP009023880	
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Examiner Signature _____ **Date Considered** _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.